THE HONOURABLE SRI JUSTICE

B.SESHASAYANA REDDY

WRIT PETITION NO. 16090 OF 2005

Date of Disposal : 3-8-3005.

Between:

Mir Inayat ali and others…….petitioners

And

The Joint Collector, Krishna, Machilipatnam and others….respondents

THE HONOURABLE SRI JUSTICE

B.SESHASAYANA REDDY

WRIT PETITION NO. 16090 OF 2005

O R D E R :

This Writ Petition is filed by the petitioners with a prayer to issue a Writ of Mandamus declaring the inaction of 3rd respondent in taking appropriate action to stop the activity of 4th respondent and to protect the tank as well as the tank bund (Krishnamma cheruvu) located in S.No.49/2 of Gayampadu (v), H/o Urivi(v) Pedana(M) Krishna District as illegal, arbitrary and violative of principles of natural justice.

The grievance of the petitioners is that 4th respondent-Boina Malleswari is encroaching the Krishnamma cheruvu which is located in S.No.49/2 of Gayampadu (v), H/o Urivi(v) Pedana(M) Krishna District and also burial ground adjacent to it. It is further the case of the petitioners that the Mandal Revenue Officer has not taken any action to protect the Krishnamma cheruvu and burial ground from being encroached by 4th respondent. It is stated in the counter of 4th respondent that he filed a suit in O.S.No.592 of 2005 on the file of Principal Junior Civil Judge, Machilipatnam and obtained interim injunction.

It is a matter of record that the petitioners have filed an appeal challenging the order of the MRO granting Pattedar Pass Book and title deeds in respect of the land in question in favour of 4th respondent. The said appeal ended in dismissal and thereupon they carried the matter in revisioin before the Joint Collector, Krishna and the said revision is pending disposal. Such is the situation the petitioners have to work out their remedy before the Joint Collector. Accordingly, this writ petition is disposed of directing the Joint

Collector before whom the revision filed by the petitioners herein is pending to dispose of the revision within two weeks from the date of receipt of a copy of this order. No costs.

Dated: 3-8-3005. (B.Seshasayana Reddy,J)

Tnb

THE HONOURABLE SRI JUSTICE

B.SESHASAYANA REDDY

WRIT PETITION NO. 16090 OF 2005

Dated: 03-08-2005.